

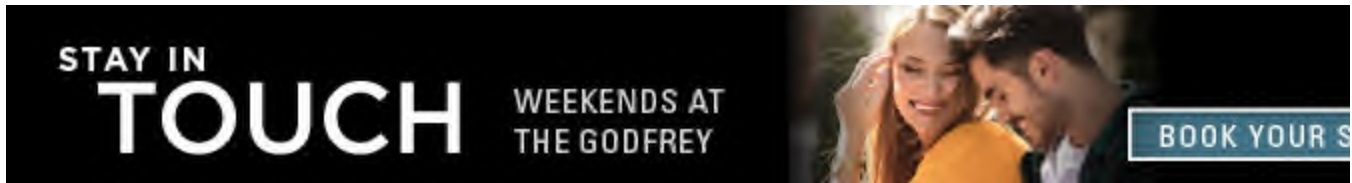
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I-TEAM

Aurora shooter Gary Martin ignored gun card revocation



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Gary Montez Martin died in a firefight with police last Friday, after shooting company officials during a termination meeting.

By [Chuck Goudie](#) and Christine Tressel

Monday, February 18, 2019

CHICAGO (WLS) -- The heartache at Henry Pratt Company that ended with six people dead and five police officers wounded-started in 2014, although nobody knew it.

2014 is when the shooter Gary Montez Martin first obtained an Illinois Firearm Owners Identification Card-even though he was ineligible due to a felony on his record.

The valve assembly worker filled out an application for a FOID card back then and investigators say he lied in his answer to question number two: "have you ever been

< [REDACTED] >

felony aggravated assault in Mississippi, was sentenced to five years in prison and released from custody in 1997.

Late Monday Illinois State Police officials told the I-Team that their background check did not reveal Martin's Mississippi criminal history. After obtaining the FOID card he bought a 40 caliber Smith and Wesson pistol with a laser sight-the same gun he used during last Friday's factory rampage.

Martin's Mississippi felony only surfaced months later in 2014 when he applied for a concealed carry license. Illinois authorities notified him that he would have to surrender his FOID card and his gun.

He didn't. Martin brought the pistol with him to work Friday, apparently anticipating that he was going to be fired from his job.

"Our system of commerce and firearms in the United States is largely based on an honor system. It's it's very much 'OK trust me I'm telling the truth' kind of a thing" said Mark Jones, senior policy advisor with the Illinois Council Against Hand Gun Violence.

In Illinois though there are no laws requiring officials to actually collect revoked FOID cards, and the guns purchased with those cards, even after they have been revoked. Friday's attack in Aurora by a man who kept his card and gun appears to be the latest example of that.

"I don't think the Aurora police thought it necessary to have an organized program to recover every revoked FOID card and seek to recover the handguns or the firearms that those revocations may have left out in the community" said Jones, a veteran-now retired-lawman. "What I don't think is the Aurora police's fault this is a much bigger structural issue" he said.

The I-Team on Monday has learned just how big. In 2018 Illinois State Police revoked 10,818 FOID cards.

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Tonight officials admit-most are never returned to them as required.

The Aurora shooter was just one violent example of an Illinois FOID violator who fell through the cracks of a background check that wasn't deep enough and a system that didn't require enough follow-up.

When FOID card holders and gun owners ignore revocation notices, local law enforcement *may* petition a judge to issue a search warrant. But under Illinois law they don't *have* to do that. And in the case of Gary Martin, apparently didn't.

The full statement released late Monday by Illinois State Police officials:

Springfield, IL- The Illinois State Police (ISP) received a Firearm Owner's Identification (FOID) card application from Gary Montez Martin, DOB: 04/28/73, on January 17, 2014. A FOID background check, which consists of a name and date of birth check, was then conducted. The Firearm Owners Identification Act does not allow a FOID card applicant to submit fingerprints as part of the application process. On his application, Martin answered "NO" to the question "Have you ever been convicted of a felony?" The search of records conducted by FOID staff only produced Martin's Illinois criminal history information, which revealed no prohibiting factors. Martin's FOID card application was then approved on January 31, 2014.

On March 6, 2014 a firearm transaction for Martin to purchase a handgun was approved after the name and date of birth background check was again cleared. Any purchases of ammunition would have required Martin to show his valid FOID card, however, Illinois law does not require a check of a person's FOID card to complete the purchase.

The ISP received a Firearm Concealed Carry License (FCCL) application for Martin on March 16, 2014. Unlike the FOID application, FCCL applicants may choose to submit

fingerprints as a component of their application. If fingerprints are submitted, statutory processing time is reduced to 90 days from 120 days. Martin submitted fingerprints with his application. A fingerprint background check produced an FBI

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The FBI number ultimately led FCCL staff to a Mississippi Department of Corrections entry noting a charge of aggravated assault, with incarceration for 5 years. FCCL staff then obtained Mississippi court records, which included a criminal disposition plea of guilty for aggravated assault, showing a sentence of 10 years, and a requirement to undergo psychological screening. Martin was reportedly released from custody on April 18, 1997.

Upon receipt of the court documents, Martin's FCCL application was denied on March 26, 2014. A letter dated April 15, 2014 was sent to Martin notifying him of his FCCL application denial as well as indicating he was no longer eligible for a FOID card. Martin was notified he was responsible for surrendering his FOID card and any weapons in his possession. FCCL staff notified FOID staff for purposes of revoking Martin's FOID card. Martin's FOID card was subsequently revoked on April 17, 2014.

The ISP's procedure at the time was to notify local law enforcement where the FOID card holder resides by means of the Illinois Law Enforcement Agencies Data System (LEADS). The ISP is also currently examining Illinois, Mississippi, and FBI records and systems to determine how Martin's Mississippi conviction was discovered after his fingerprint response was returned for his FCCL application.

Once an individual's FOID is revoked, Illinois law requires a revoked FOID card holder to surrender their FOID card and complete a Firearm Disposition Record within 48 hours of receiving notice of the revocation. The Firearm Disposition Record would document the name, address and FOID number of the individual receiving any transferred weapons from the revoked FOID card holder. A revoked FOID card holder can lawfully transfer their weapon to a valid FOID card holder or to the local law enforcement agency in the area in which the revoked FOID card holder resides. The Firearm Disposition Record requires that the revoked FOID card holder must obtain signature from the local law enforcement agency receiving the Firearm Disposition

Record. The local law enforcement agency is required to mail the completed form to the Illinois State Police.

FOID card holder must comply with these requirements. If a revoked FOID Card holder fails to comply with these requirements, the county sheriff or law enforcement agency where the individual resides may petition the court to issue a search warrant for the FOID card and any firearms in their possession; however, Illinois law does not require them to do so.

Martin's FOID card at this time, however a review of paper and electronic files continues.

If a revoked FOID Card holder fails to comply with these requirements, the county sheriff or law enforcement agency where the individual resides may petition the court to issue a search warrant for the FOID card and any firearms in their possession; however, Illinois law does not require them to do so.

The Illinois State Police issued 10,818 revocations to FOID card holders in 2018 alone. The Department is reviewing its records to determine how many outstanding Firearm Disposition Records remain for 2018, however, in most instances, the Firearm Disposition Record does not get returned to the Department.

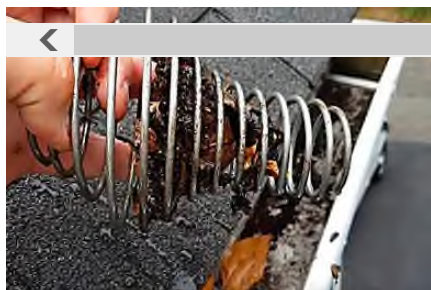
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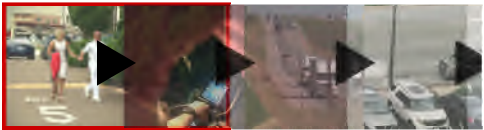


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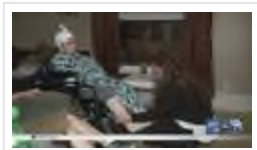


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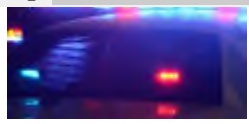
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